

OFFICIAL FILE

ILLINOIS COMMERCE COMMISSION

BEFORE THE
ILLINOIS COMMERCE COMMISSION

ORIGINAL

Silv Communication Inc.

Application for a Certificate of
Interexchange Authority to Operate as a
Reseller of Telecommunications
Services Throughout the State of Illinois

Docket No.

06-0515

**APPLICATION FOR CERTIFICATE TO BECOME A
TELECOMMUNICATIONS CARRIER**

Silv Communication Inc. ("Applicant"), pursuant to the Illinois Public Utilities Act (the "Act"), 220 ILCS 5/Section 13-404 (1995), hereby applies to the Illinois Commerce Commission ("Commission") for a Certificate of Interexchange Service Authority to provide resold, non-facilities-based intrastate interexchange telecommunications services throughout the State of Illinois. Applicant proposes to offer competitive interexchange telecommunications services to commercial and residential subscribers. In support of its Application, Applicant states as follows.

I. GENERAL INFORMATION

1) APPLICANT'S NAME AND ADDRESS

A. Applicant's legal name, address, telephone number and facsimile number are:

Silv Communication Inc.
3460 Wilshire Boulevard, Suite 1103
Los Angeles, California 90010
Telephone: 213.381.7999
Facsimile: 213.381.7711
Toll Free: 888.723.2199
Email: silvcomm@yahoo.com

B. Applicant's Federal Employer Identification Number is 95-4865712.

2) **AUTHORITY REQUESTED**

Applicant requests authority to provide competitive resold switched access non-facilities-based intrastate outbound ("1+") interexchange telecommunications services throughout the State of Illinois, pursuant to 220 ILCS 5/Section 13-404.

3) **REQUEST FOR WAIVERS**

Applicant requests waiver of the following regulations as apply to Applicant's provision of resold interexchange services in Illinois:

83 IAC Part 710. Pursuant to Section 13-402, Applicant requests waiver of 83 Illinois Administrative Code ("IAC") Part 710, the Uniform System of Accounts for Telecommunications Carriers, as it relates to the authority requested, with the understanding that *Applicant will maintain its accounting records according to Generally Accepted Accounting Principles*. Applicant will maintain its records in a level of detail similar to the accounting system, which it currently uses and in sufficient detail to comply with all applicable tax laws.

83 IAC Part 250. Applicant requests a waiver of 83 Illinois Administrative Code Part 250, with respect to maintaining corporate records within the State of Illinois. Applicant does not intend to open an office in Illinois, nor will it employ individuals or engage agents in Illinois who would retain corporate records. Applicant intends to keep its books and records in its headquarters offices, and will make such books and record available to the Commission upon request.

83 IAC Part 735. Applicant further requests waiver of 83 Illinois Administrative Code Part 735, Procedures Governing the Establishment of Credit, Billing, Deposits, Termination of Service, for its interexchange service. Applicant maintains that as a competitive carrier, provisions contained in Part 735 should not apply to Applicant. Holding Applicant to the

requirements of Part 735 while according its competitors waiver of these provisions, would constitute an unfair advantage to Applicant's competitors. Applicant seeks waiver of Part 735 to maintain competitive parity.

The granting of this requested waiver and variance is consistent with the Commission's original order granting Applicant a Certificate of Authority and the purpose and underlying policy of Article XIII of the Act.

4) LOCAL EXCHANGE AUTHORITY

Applicant is not seeking local exchange authority and is not providing such information as is required by the Commission for applicants for local exchange authority.

5) SERVICE AREA

Applicant intends to provide interexchange telecommunications services throughout the entire state of Illinois.

6) DESIGNATED CONTACTS

A. For issues related to processing this Application:

Andrew O. Isar
Miller Isar, Inc.
7901 Skansie Avenue, Ste. 240
Gig Harbor, Washington 98335
Telephone: 253.851.6700
Facsimile: 253.851.6474
Email: aisar@millerisar.com

B/C. For Consumer and Customer Complaint Issues:

Ms. Samantha Ceja
Silv Communication Inc.
3460 Wilshire Boulevard, Suite 1103
Los Angeles, California 90010
Telephone: 888.723.2199
Facsimile: 213.381.7711
Email: silvcomm@yahoo.com

6) DESIGNATED CONTACTS, Continued

D. For Technical and Service Quality Issues:

Ken Adams
Silv Communication Inc.
3460 Wilshire Boulevard, Suite 1103
Los Angeles, California 90010
Telephone: 213.381.7999
Facsimile: 213.381.7711

E/F/G. Tariff and Pricing, 9-11, Security and Law Enforcement Issues:

Ken Adams
Silv Communication Inc.
3460 Wilshire Boulevard, Suite 1103
Los Angeles, California 90010
Telephone: 213.381.7999
Facsimile: 213.381.7711

7) TYPE OF ORGANIZATION

Applicant is a privately held corporation organized under the laws of the State of California on June 4, 2001.

8) CORPORATE DOCUMENTS

Copies of Applicant's Articles of Incorporation attached hereto as **Exhibit B**. Applicant's Certificate of Authority to transact business in Illinois as a foreign business entity is attached hereto at **Exhibit C**.

9) JURISDICTIONS IN WHICH APPLICANT IS OFFERING SERVICE

Applicant has applied for and has been granted authority to provide resold interexchange service in the following states: California, Colorado, Florida, Montana, Idaho, Iowa, Indiana, Ohio, New Mexico, North Carolina, North Dakota, Oregon, Pennsylvania, Texas and Utah.

10) APPLICATIONS DENIED/CERTIFICATES REVOKED

Neither Applicant, nor any principal in Applicant, has been denied a Certificate of Service or had its certification revoked or suspended in any jurisdiction in this or another name.

11) COMPLAINTS OR JUDGMENTS AGAINST APPLICANT

Administrative action was taken against the Applicant by state regulators in connection with the provision of telephone services or telecommunications services. A detailed discussion is attached hereto at **Exhibit D**.

12) OTHER NAMES

Applicant is not doing business under any other name.

13) LOCATION OF BOOKS AND RECORDS

Please refer to Paragraph 3, above. Applicant will maintain its books and records at its office in Los Angeles, California.

II. MANAGERIAL INFORMATION

14) EVIDENCE OF MANAGERIAL AND TECHNICAL RESOURCES

Applicant possesses the managerial experience necessary to offer high-quality, competitive interexchange and local exchange telecommunications service in the State of Illinois. A summary of the qualifications of Applicant's senior manager is attached as **Exhibit E**.

15) OFFICERS OF APPLICANT

Applicant's officers are:

Golam Ahia/ President
Aminura Rahman/Vice President
3460 Wilshire Boulevard, Suite 1103
Los Angeles, California 90010
Telephone: 213.381.7999

16) OWNERSHIP INTERESTS IN OTHER ENTITIES

Applicant's officer does not have an ownership or other interest in any other entity which has provided or is currently providing telecommunications services.

17) BILLING

Applicant will bill for services on a monthly basis in accordance with Commission rules. Applicant has engaged a professional billing company experienced in telecommunications billing requirements to bill Applicant's subscribers under Applicant's name.

18) BILLING, SERVICE AND REPAIR COMPLAINTS

Customer service representatives are available from 9:00 a.m. to 5:00 p.m. Pacific Time to respond to billing, service, and repair complaints. Messages may be left for Customer services from 5:01 p.m. to 8:59 a.m. Pacific Time, which will be responded to on the next business day.

The customer's first point of contact for billing or service complaints is Applicant's Customer Service Department's trained representatives. If, after contacting Applicant's customer service representative, the customer remains dissatisfied, the customer may be connected with Applicant's Customer Service Manager. Customers will be advised that they may contact the Illinois Commerce Commission at any time for assistance in the resolution of any issue concerning the Applicant's telecommunications service.

With respect to repair reports, the Applicant will contact the designated service representative of the underlying carrier providing the network services to report the trouble and ascertain the estimated time of repair. The underlying carrier will take corrective procedures and will report the resolution of the trouble to Applicant. The company will then immediately contact the customer and will verify with the customer that service has been restored.

19) PERSONNEL AVAILABILITY

Personnel will be available at Applicant's business office during regular working hours to respond to inquiries about service or billing.

20) CUSTOMER CONTACT NUMBER

Customers may contact Applicant's Customer Service Department representatives using Applicant's toll free number, 888.723.2199.

21) SLAMMING/CRAMMING RULES

Applicant will abide by all Federal and State slamming and cramming laws including *inter alia* Section 13-902 of the Public Utilities Act, Section 258 of the 1996 Telecommunications Act,¹ and Section 64.1100 *et seq.* of the Federal Communications Commission's rules.²

22) SLAMMING/CRAMMING PROCEDURES

Applicant intends to rely almost exclusively on written letters of agency, pursuant to 47 C.F.R. §64.1150 and Commission rules, to confirm new customer subscription. Applicant may, from time to time, engage independent third-party verification of new accounts. As Applicant does not bill for other parties, Applicant will control what services are billed to subscribers and will ensure that the subscriber is not billed for services or products to which the subscriber did not subscribe.

23) LOCAL EXCHANGE CARRIER RULE COMPLIANCE

Applicant is not seeking local exchange authority.

¹ 47 U.S.C. §258

² 47 C.F.R. §64.1100 *et seq.*

24) INITIAL TARIFF

Applicant will file its tariff with the Commission upon approval of its Application, prior to commencing service in Illinois.

III. FINANCIAL INFORMATION

25) FINANCIAL ABILITY

The financial statements of Applicant are attached as **Exhibit F**, and demonstrate that the financial strength of the Applicant is sufficient to enable Applicant to provide and maintain service in the State of Illinois. Applicant's financial statements contain proprietary information and are filed under seal. Applicant has filed a Motion for Protective Order with the instant Application, accordingly.

IV. TECHNICAL INFORMATION

26) TECHNICAL ABILITY

Applicant proposes to provide network services via its underlying interexchange carrier. Applicant does not own facilities.

27) PROPOSED SERVICES

Applicant proposes to provide competitive, resold switched access - outbound "1 calling interexchange telecommunications services.

28) TECHNICAL PERSONNEL AVAILABILITY

Technical personnel will be available to assist subscribers with service related problems during business hours as set forth in item 18, *supra*.

29) PAYPHONE SERVICE

Applicant will not provide payphone service.

OATH

STATE OF CALIFORNIA

)

) ss.

County of Los Angeles

)

SK Golam Ahia, makes oath and says that he is President of Silv Communication, Inc., that he has examined and reviewed the foregoing application and exhibits attached thereto, and that to the best of his knowledge, information, and belief, all statements of fact contained in said application are true, and the said application is a correct statement of the business and affairs of Silv Communication, Inc. in respect to each and every matter set forth therein.

SILV COMMUNICATION, INC.

By:

SK Golam Ahia

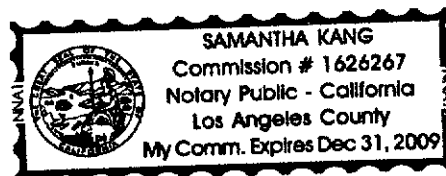
SK Golam Ahia-President
3460 Wilshire Boulevard, Suite 1103
Los Angeles, CA 90010
Telephone: 213.381.7999

Subscribed and sworn to before me, a Notary Public

SAMANTHA KANG, Notary Public
(Title of Person authorized to administer oaths)

in the State and County above named, this 2ND day of ^{MAY}~~April~~ 2006

Samantha Kang
(Signature of person authorized to administer oath)



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LIST OF EXHIBITS

EXHIBIT A

RESPONSE TO STANDARD
QUESTIONS FOR APPLICANTS
SEEKING LOCAL EXCHANGE
SERVICE AUTHORITY
(inapplicable)

EXHIBIT B

ARTICLES OF INCORPORATION

EXHIBIT C

CERTIFICATE OF AUTHORITY

EXHIBIT D

COMPLAINTS OR JUDGMENTS
AGAINST APPLICANT

EXHIBIT E

MANAGEMENT EXPERIENCE

EXHIBIT F

FINANCIAL DOCUMENTS